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UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 (HONORABLE MARILYN L. HUFF)

11 UNITED STATES OF AMERICA, ) Case No. 08CR1275-H  
12 Plaintiff, )  
13 v. ) DATE: May 27, 2008  
14 NAPOLEON ZEPEDA-MONTES, ) TIME: 2:00 p.m.  
15 Defendant. )  
 ) **NOTICE OF MOTIONS AND MOTIONS:**  
 ) (1) **TO COMPEL DISCOVERY; AND**  
 ) (2) **FOR LEAVE TO FILE FURTHER**  
 ) **MOTIONS**

17 TO: KAREN P. HEWITT, UNITED STATES ATTORNEY; AND  
STEWART M. YOUNG, ASSISTANT UNITED STATES ATTORNEY;

19 PLEASE TAKE NOTICE that, on May 27, 2008, at 2:00 p.m., or as soon thereafter as counsel may  
20 be heard, the defendant, Napoleon Zepeda-Montes, through counsel, Joseph M. McMullen and  
21 Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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## **MOTIONS**

The defendant, Napoleon Zepeda-Montes, through counsel, Joseph M. McMullen and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order:

- 1) Compelling discovery; and
- 2) For leave to file further motions.

8 These motions are based upon the instant motions and notice of motions, the attached statement of  
9 facts and memorandum of points and authorities, and all other materials that may come to this Court's  
10 attention at the time of the hearing on these motions.

Respectfully submitted,

DATED: May 15, 2008

/s/ Joseph M. McMullen  
**JOSEPH M. McMULLEN**  
Federal Defenders of San Diego, Inc.  
Attorneys for Napoleon Zepeda-Montes